

REMARKS

Upon entry of the present amendment, claims 1 through 12 will have been amended and new claims 13 – 17 will have been submitted for consideration by the Examiner.

In view of the herein contained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of each of the outstanding rejections, together with an indication of the allowability of all of the claims pending in the present application. Such action is believed to be appropriate and proper and is thus respectfully requested, in due course.

Initially, Applicants wish to respectfully thank the Examiner for accepting the drawings filed in the present application on December 23, 2005. Applicants further wish to respectfully thank the Examiner for acknowledging their claim for foreign priority under 35 U.S.C. § 119 as well as for confirming that the certified copy of the priority document has been received.

Additionally, Applicants wish to respectfully thank the Examiner for considering the documents submitted together with the Information Disclosure Statement filed in the present application on March 23, 2006, by the return of the signed and initialed PTO-1449 Form attached to the above noted Information Disclosure Statement.

Finally, Applicants wish to respectfully thank the Examiner for explicitly confirming that the preliminary amendment filed in the present application on December 23, 2005, concurrently with the filing of the present application, has been entered into the present application.

In the outstanding Official Action, the Examiner rejected claims 1-12 under 35 U.S.C. § 112, second paragraph as being indefinite. The Examiner asserted that the claims failed to particularly point out and distinct claim the subject matter which Applicants regard as the invention. In particular, the Examiner asserted that language informalities were present throughout the claims. The Examiner gave a number of examples of such informalities and

required that appropriate correction be made to all of the claims pending in the present application.

By the present response, Applicants have amended the language of each of the claims in the present application and in so doing have ensured that the language of the claims is definite and properly descriptive of Applicants' invention. Applicants have revised the claims to ensure full compliance with U.S. idiom, syntax, and grammar as well as to ensure that the pending claims conform with U.S. patent claim practice, but without narrowing the scope of the claims. Accordingly no prosecution history estoppel should attach to these amendments.

In view of the present amendments, Applicants respectfully submit that any possible bases for the Examiner's rejection of any of the claims under 35 U.S.C. § 112, second paragraph has been eliminated. In this regard, Applicants respectfully thank the Examiner for bringing these matters to their attention so that they could be corrected.

In the outstanding Official Action, the Examiner rejected claims 1-12, under 35 U.S.C. § 103(a) as being unpatentable over JIBE et al. et al. (U.S. Patent No. 5, 939, 674) in view of DE VOS et al. (U.S. Patent No. 4, 398, 239). Applicants respect fully traverse the above noted rejection and submit it is inappropriate with respect to the features recited in Applicants' claims. In particular, Applicants respectfully submit that the combinations of features recited in each of the pending claims are not taught, disclosed, or rendered obvious by any proper combination of the references relied upon by the Examiner in the outstanding Official Action. Accordingly, Applicants respectfully request reconsideration of the outstanding rejection, and the withdrawal thereof, of as well as an indication of the allowability of all of the claims now pending in the present application, in due course.

Applicants' invention is directed to a discharge lamp lighting apparatus as well as to a lighting system comprising a discharge lamp. Utilizing the discharge lamp lighting apparatus as recited in Applicants' claim 1, as a non-limiting example of Applicants' invention, the lighting apparatus of the present invention includes a discharge lamp lighting circuit for lighting a discharge lamp and a housing of synthetic resin, the housing having a base member and a cover member which form a cavity within which the discharge lamp lighting circuit is received. The base member includes a flat rectangular bottom plate and four sidewalls which extend perpendicularly from the bottom plate along each side of the bottom plate and at least a protruding portion which is provided on a part of an upper end of one of the sidewalls and is configured to protrude outward. A wire receiving portion is provided on a surface of the protruding portion and is configured to communicate between an inside and an outside of the housing and on which at least an electric wire, electrically connected to the discharge lamp lighting circuit, is received. A plurality of reinforcing ribs which extend between a surface of the protruding portion, other than the surface on which the wire receiving portion is provided, and an outer surface of the side wall on which the protruding portion is provided.

No proper combination of the references relied upon by the Examiner teach the above noted combination of features as recited in Applicants' claims and which define Applicants' invention.

In setting forth the rejection, the Examiner essentially asserts that JIBE et al. discloses a housing and a cover with the recited structure but lacks a teaching of using "the wiring" with a discharge lamp. The Examiner then relies upon DE VOS et al. for teaching a discharge lamp and a housing. The Examiner concludes that it would have been obvious to use the wire leading part taught by JIBE et al. with a discharge lamp taught by DE VOS et al.

However, Applicants respectfully submit that JIBE et al. does not disclose each of the features recited at least in Applicants' claim 1. Accordingly the Examiner's rejection is flawed and Applicants claims are clearly patentable over the combination asserted by the Examiner.

JIBE et al. discloses a housing 2 and a cover portion 3 which might be considered to correspond to the base member, and an upper cover 15 which might be considered to correspond to the cover member. Although the housing 2 of JIBE et al. appears to have a bottom plate 23 and sidewalls 3, 5, 13 and 13, JIBE et al. does not disclose, teach or show a protruding portion which is provided on a part of the upper end of one of the sidewalls and is configured to protrude outward. The grooves 10 of JIBE et al. are provided on an upper face of the side wall, not on any protruding portion as recited at least in Applicants' claim 1.

Additionally, although the Examiner asserts that JIBE et al. discloses ribs 12 and 14, these "ribs" are not provided or extend between a surface of the protruding portion other than the surface on which the wire receiving portion is provided and outer surface of the side wall on which the protruding portion is provided. As noted previously, JIBE et al. does not disclose a protruding portion as recited in Applicants' claims. And even if, for arguments sake, one assumes that JIBE et al. does disclose protruding portions, the ribs identified by the Examiner would still not be positioned as recited in Applicants' claim 1.

Accordingly, for each of the above noted reasons independently, it is respectfully submitted that Applicants' claims are clearly patentable over any proper combination of JIBE et al. and DE VOS et al. In this regard, Applicants note that the Examiner has merely relied on DE VOS et al. for a teaching of a discharge lamp and housing. The Examiner has not even asserted that DE VOS et al. discloses protruding portions or reinforcing ribs as recited and DE VOS et al. clearly does not disclose such structure.

Using the illustration of figure 1 of Applicant's application as a non-limiting example of an aspect of a disclosed embodiment of the present invention, a protruding portion 25 is shown therein having wire receiving groove 23 on one surface and ribs 26 that are provided (or extend) between a surface of the protruding portion other than the surface on which the wire receiving grooves are provided and the outer surface of the side wall on which the protruding portion is provided. In other words, the ribs are provided (i.e. extend) between the side wall and a protruding portion as clearly shown in figure 1.

No protruding portion, wire receiving portion or reinforcing ribs, as recited in the combination of Applicants' claim 1 is taught disclosed or rendered obvious by any proper combination of JIBE et al. and DE VOS et al.

Each of the dependent claims pending in the present application is submitted to be patentable over the combination of references relied upon by the Examiner based on their own particular recitations as well is based upon their dependence from a shown to be allowable base claim. In this regard, claim 2 defines dimensional features of the protruding portion which are not taught by JIBE et al. at least since JIBE et al. does not disclose protruding portions in the claimed combination, as noted above. Similarly, claims 3 and 12 relate to a slanted face of the reinforcing ribs. Since JIBE et al. at el does not disclose reinforcing ribs these claims are clearly patentable thereover.

Regarding claim 4, although JIBE et al. discloses grooves 10, the grooves are formed on an upper face of the side wall 3 and on any protruding portion as recited in Applicants' claims. Nor does JIBE et al. disclose the "at least a pair of ribs" configured to pinch an electric wire therebetween as recited in claim 4. Regarding claims 5 and 13, JIBE et al. does not disclose a plurality of protrusions having a substantially triangular shape.

Regarding claim 6, JIBE et al. does not disclose a cover member having a protruding portion as recited therein. Nor does JIBE et al. disclose at least the fixing portions as recited in claim 7. Regarding claim 8, JIBE et al. discloses no arm portion provided with a fixing portion as recited therein. Regarding claim 9, JIBE et al. does not disclose a metal cover having an engaging portion as recited.

The newly submitted claims 13 through 17 provide yet additional features of Applicants' invention and are submitted in order to afford Applicants the scope of protection to which they are entitled for their invention.

Accordingly, each of the claims pending in the present application is clearly patentable over the references relied upon by the Examiner. An action to such effect is respectfully requested, in due course.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have amended the claims and have submitted several additional dependent claims for consideration and examination by the Examiner.


Applicants have revised the language of the claims to eliminate any basis for objection thereto as being indefinite or for not being properly descriptive of Applicants' invention. Applicants have additionally amended the claims to ensure their conformance with current U.S. patent claim practice.

Applicants have discussed the features of Applicants' invention and have contrasted the same with the disclosures of the references relied upon. In this regard, Applicants have pointed out the shortcomings of the disclosures of the references cited and applied by the Examiner against the claims of the present application. With explicit reference to the recited features of Applicants' claims, the shortcomings and deficiencies of the applied references have been noted. Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully request an indication to such effect, in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
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February 1, 2008
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